## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI NORTHERN DIVISION

REBECCA SUE FRANKE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 2:08CV00043 ERW
	)	
FIRST AMERICAN INVESTMENT	)	
COMPANY and LAW OFFICE OF	)	
DOUGLAS R. BURGESS, LLC,	)	
	)	
Defendants.	)	

## **JUDGMENT**

This matter comes before the Court on Plaintiff's Amended Motion for Default Judgment Against the Law Office of Douglas R. Burgess [doc. #11]. A Clerk's Entry of Default was entered against Defendant Law Office of Douglas R. Burgess, LLC on February 9, 2009. A hearing on the pending Motion was held on March 5, 2009. Defendant Law Office of Douglas R. Burgess, LLC did not appear at the hearing, and has failed to timely plead or otherwise defend this action.<sup>1</sup>

As requested by the Court at the hearing, Plaintiff has submitted a Supplemental Memorandum Regarding Damages [doc. #19]. In the Memorandum, Plaintiff requests total damages in the amount of \$6,446.50, consisting of \$2,000.00 in actual damages, \$1,000.00 in statutory damages, and \$3,446.50 in attorney's fees.

<sup>&</sup>lt;sup>1</sup>The only actions taken by Defendant Law Office of Douglas R. Burgess in this case have been: 1) signing the waiver of service of summons on September 23, 2008; and 2) sending a letter to the Court dated March 2, 2009 regarding the proper name of the party as "Law Office of Douglas R. Burgess, LLC." Neither of these actions were responsive to Plaintiff's Complaint.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Amended Motion for Default Judgment
Against the Law Office of Douglas R. Burgess [doc. #11] is GRANTED.

**IT IS FURTHER ORDERED** that judgment is entered in favor of Plaintiff Rebecca Sue Franke and against Defendant Law Office of Douglas R. Burgess, LLC, for the sum of \$6,446.50. Dated this <u>23rd</u> Day of <u>March</u>, 2009.

E. RICHARD WEBBER

UNITED STATES DISTRICT JUDGE

E. Rahard Straken